

BILL NO. S-92-01-19

SPECIAL ORDINANCE NO. S-20-92

AN ORDINANCE approving the awarding of Reference #5029 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and UNDERGROUND PIPE & VALVE, INC. AND TREATY COMPANY for the Water Maintenance & Service Department.

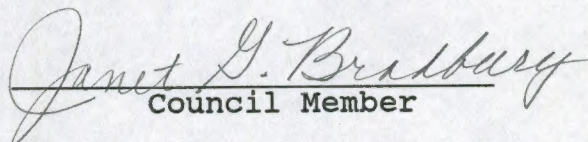
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #5029 between the City of Fort Wayne, by and through its Department of Purchasing and UNDERGROUND PIPE & VALVE, INC. AND TREATY COMPANY for the Water Maintenance & Service Department, respectfully for:

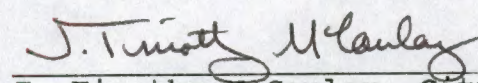
the purchase of curb/corporation stops for 1992 for the Water Maintenance & Service Department;

involving a total cost of Thirty-Two Thousand Three Hundred Eight and 30/100+/- Dollars (\$32,308.30+/-) - (UNDERGROUND - \$12,036.55+/-; TREATY - \$20,271.75+/-) all as more particularly set forth in said Reference #5029 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REFERENCE NO.: 5029
DEPARTMENT: WATER MAINTENANCE
DATE: 12/10/91
ITEM/SERVICE: CURB/CORPORATION STOPS
ADVERTISED BID: YES
DATES ADVERTISED: 10/24/91 & 10/31/91
DATE OPENED: 11/18/91
WRITTEN QUOTE:
DATE DUE:
VERBAL QUOTE:
SINGLE SOURCE:
NO. OF VENDORS NOTIFIED: 12
NO. OF VENDORS RECEIVING BID: 6
NO. OF VENDORS RETURNING BID: 6
NO. OF VENDORS DISQUALIFIED: 0
NO. OF VENDORS NOT RESPONDING: 0
DATE SENT TO DEPT FOR RECOMM: 11/18/91
DATE RECOMM RECEIVED BACK: 12/6/91
DATE SENT TO LAW DEPARTMENT: 12/10/91
INTRODUCTION DATE: 1/7/92
DISCUSSION DATE: 1/14/92
PASSAGE DATE: 1/21/92

REFERENCE NO. 5029
CURB & CORP STOPS
WATER MAINT. & SERVICE

DESCRIPTION	QTY	E J P	MIDWEST	UNDERGROUND PIPE	WAYNE PIPE	ETNA SUPPLY	JAMES JONES	TREATY COMPANY
3/4" CORP	1500	\$6.55	\$9,825.00	\$6.48 \$9,720.00	\$7.37 \$11,055.00	\$6.83 \$10,245.00	\$6.68 \$10,020.00	\$6.49 \$9,735.00
1" CORP	75	\$10.22	\$766.50	\$9.56 \$717.00	\$11.26 \$844.50	\$10.45 \$783.75	\$8.09 \$606.75	\$9.92 \$744.00
1 1/2" CORP	25	\$27.12	\$678.00	\$27.79 \$694.75	\$30.83 \$770.75	\$28.62 \$715.50	\$25.70 \$642.50	\$27.14 \$678.50
2" CORP	20	\$46.87	\$937.40	\$45.24 \$904.80	\$53.88 \$1,077.60	\$49.89 \$997.80	\$44.88 \$897.60	\$47.42 \$948.40
SUB-TOTAL			\$12,206.90	\$12,036.55	\$13,747.85	\$12,742.05	\$12,166.85	\$12,105.90
3/4" FEMALE	125	\$10.25	\$1,281.25	\$10.33 \$1,291.25	\$8.00 \$1,000.00	\$8.21 \$1,026.25	\$10.59 \$1,323.75	\$7.04 \$880.00
2" FEMALE	50	\$42.65	\$2,132.50	\$42.46 \$2,123.00	\$51.85 \$2,592.50	\$41.90 \$2,095.00	\$43.17 \$2,158.50	\$45.63 \$2,281.50
3/4" BALL	1500	\$10.29	\$15,435.00	\$8.96 \$13,440.00	\$9.58 \$14,370.00	\$10.15 \$15,225.00	\$13.80 \$20,700.00	\$8.43 \$12,645.00
1" BALL	100	\$15.86	\$1,586.00	\$18.61 \$1,861.00	\$18.61 \$1,861.00	\$17.29 \$1,729.00	\$19.40 \$1,940.00	\$16.38 \$1,638.00
1 1/2" BALL	25	\$41.00	\$1,025.00	\$40.89 \$1,022.25	\$48.71 \$1,217.75	\$38.36 \$959.00	\$40.57 \$1,014.25	\$42.90 \$1,072.50
2" PLUG	25	\$67.10	\$1,677.50	\$67.10 \$1,677.50	\$79.76 \$1,994.00	\$64.98 \$1,624.50	N/B \$0.00	\$70.19 \$1,754.75
SUB-TOTAL			\$23,137.25	\$21,415.00	\$23,035.25	\$22,658.75	\$27,136.50	\$20,271.75
GRAND TOTAL			\$35,344.15	\$33,451.55	\$36,783.10	\$35,400.80	\$39,303.35	\$32,377.65
DELIVERY TIME			7-14 DAYS	STK-7 DAY	10-14 DAYS	14-30 DAYS	STK-4 WKS	14-21 DAYS

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-18-91 @ 11:00 AM BID REFERENCE # 5029

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR CURB AND CORP STOPS PER
SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE

THIS BID REQUIRES A XXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____% IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Underground Piping & Sewer
STREET ADDRESS 617 Lee Road
CITY FT Wayne PHONE # 483 1457
BY James P Butler
REPRESENTATIVE SIGNATURE

PRICE SHEET

CORP STOPS - FLARED

QTY	UNIT	SIZE	BRAND	PART #	UNIT	/	TOTAL
1500	EA +/-	3/4"	AY McDONALD	4701	\$ 6.48	1	\$ 9720.00
75	EA +/-	1"	"	4701	\$ 9.56	1	\$ 717.00
25	EA +/-	1 1/2"	"	4701	\$ 27.79	1	\$ 694.75
20	EA +/-	2"	"	4701B	\$ 45.24	1	\$ 904.80
TOTAL:							\$ 12,036.55

FOB: FORT WAYNE

DELIVERY TIME ARO: Stock to 1 week

PRICE SHEET

CURB STOPS - 90 DEGREE T-HEAD OPERATION

QTY	UNIT	SIZE	BRAND	PART #	UNIT	/	TOTAL
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FEMALE IRON PIPE THREADED BALL OR PLUG TYPE

125	EA +/-	3/4"	AY McDonald	6101	\$	10 ³³	/ \$ 1291 ²⁵
50	EA +/-	2"	"	6101	\$	42 ⁴⁶	/ \$ 2123 ⁰⁰

FLARED BOTH ENDS BALL TYPE

1500	EA +/-	3/4"	"	6100	\$	8 ⁹⁶	/ \$ 13440 ⁰⁰
100	EA +/-	1"	"	6100	\$	18 ⁰¹	/ \$ 1861 ⁰⁰
25	EA +/-	1 1/2"	"	6100	\$	40 ⁸⁹	/ \$ 1022 ²⁵

FLARED BOTH ENDS PLUG TYPE

25	EA +/-	2"	"	6100	\$	67 ¹⁰	/ \$ 1677 ⁵⁰
						TOTAL:	\$ 21,415 ⁰⁰

FOB: FORT WAYNE

DELIVERY TIME ARO: STOCK TO 1 WEEK.

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: November 14, 1991

- Signature of Bidder or Agent

Bladder (Firm)

Signature of Bidder or Agent

Subscribed and sworn to before me this 14 day of November, 1991

My Commission Expires: Sept 9, 1992

County of Residence: Shropshire

Notary Public

Notary Public Printed Name

Contracting Authority Members:

Date: _____

AMERICAN STATES INSURANCE COMPANY

INDIANAPOLIS, INDIANA

BID OR PROPOSAL BOND

Know all Men by these Presents,

That we, UNDERGROUND PIPE AND VALVE COMPANY, INC.

of FORT WAYNE/SOUTH BEND, INDIANA (hereinafter called the Principal),
as Principal, and AMERICAN STATES INSURANCE COMPANY (hereinafter called the
Surety), as Surety, are held and firmly bound unto CITY OF FORT WAYNE,

DEPARTMENT OF PURCHASING, FORT WAYNE, INDIANA

(hereinafter called the Obligee) in the penal sum of 5% of amount bid

 Dollars (\$) for the payment of which the Principal
and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly
and severally, firmly by these presents.

SIGNED and SEALED this 18th day of November 19 91.

THE CONDITION OF THIS OBLIGATION IS SUCH, That, whereas the Principal
has submitted or is about to submit a proposal to the Obligee on a contract for
Bid #5029 - Curb stops and corps - supply only

NOW, THEREFORE, if the said contract be timely awarded to the Principal and the Princi-
pal shall, within such time as may be specified, enter into the contract in writing, and give bond, if
bond be required, with surety acceptable to the Obligee for the faithful performance of the said con-
tract, then this obligation shall be void; otherwise to remain in full force and effect.

UNDERGROUND PIPE AND VALVE COMPANY, INC.

James P. Butler
AMERICAN STATES INSURANCE COMPANY
By Barbara L. Horvath
Barbara L. Horvath Attorney-in-Fact



American States Insurance Company

INDIANAPOLIS, INDIANA

KNOW ALL MEN BY THESE PRESENTS, that American States Insurance Company, a Corporation duly organized and existing under the laws of the State of Indiana, and having its principal office in the City of Indianapolis, Indiana, hath made, constituted and appointed, and does by these presents make, constitute and appoint

----- LYMAN C. CURTIS, CURTIS A. FEY, BARBARA L. HORVATH OR DEBRA K. LIVRONE -----

of South Bend and State of Indiana
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, provided, however,
that the penal sum of any one such instrument executed hereunder shall not exceed
TWO HUNDRED FIFTY THOUSAND AND NO/100 (\$250,000.00) DOLLARS

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the common seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. This Power of Attorney is executed and may be revoked pursuant to and by authority granted by Section 7.07 of the By-Laws of the American States Insurance Company, which reads as follows:

"The Chairman, the President or any Vice-President (including any Executive Vice-President, Senior Vice-President, Second Vice-President or Assistant Vice-President) shall have power, by and with the concurrence with any other officer of the Corporation, to appoint Attorneys-in-fact as the business of the Corporation may require and to authorize any such person to execute, on behalf of the Corporation, any bonds, recognizances, stipulations and undertakings, whether by way of surety or otherwise"

IN WITNESS WHEREOF, American States Insurance Company has caused these presents to be signed by its Vice-President, attested by its Assistant Vice-President and its corporate seal to be hereto affixed this 16th day of August
A.D. 1991 AMERICAN STATES INSURANCE COMPANY

ATTEST: [Signature]
Assistant Vice-President

By [Signature]
Second Vice-President

STATE OF INDIANA } SS
COUNTY OF MARION }

On this 16th day of August, A.D., 1991, before me personally came

Joseph F. Heim

, to me known, who being by me duly sworn, acknowledged the execution of the above instrument and did depose and say; that he is a Vice-President of American States Insurance Company; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of the Board of Directors of said Corporation; and that he signed his name thereto under like authority. And said

Joseph F. Heim further said that he is acquainted with John J. Rosich and knows him to be the Assistant Vice-President of said Corporation; and that he executed the above instrument.

BARBARA PONSLER, NOTARY PUBLIC
MARION COUNTY, STATE OF INDIANA
MY COMMISSION EXPIRES: 10/2/92

[Signature]
Notary Public

STATE OF INDIANA } SS
COUNTY OF MARION }

I, John J. Rosich the Assistant Vice-President of AMERICAN STATES INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said AMERICAN STATES INSURANCE COMPANY, which is still in force and effect.

This Certificate may be signed and sealed by facsimile under and by the authority of Section 8.03 of the By-Laws of AMERICAN STATES INSURANCE COMPANY which reads as follows:

"All policies and other instruments of insurance issued by the Corporation shall be signed on behalf of the Corporation by the Chairman, the president or any vice-president (including any Executive Vice-President, Senior Vice-President, Vice-President, Second Vice-President, or Assistant Vice-President) and the secretary, assistant secretary, or other officer, whose signatures, if the instrument is duly countersigned by an authorized representative of the Corporation, may be facsimiles. Such signatures and facsimiles thereof shall be authorized and binding upon the Corporation notwithstanding the fact that any such officer shall have ceased to be such officer at the time such policy or other instrument of insurance shall have been actually issued by the Corporation."

In witness whereof, I have hereunto set my hand and affixed the seal of said Corporation, this 18th day of November
A.D., 1991

[Signature]
Assistant Vice-President

THIS POWER OF ATTORNEY MUST CONTAIN A VALIDATING STATEMENT PRINTED IN THE MARGIN HEREOF IN RED INK, WITH A RED DIAGONAL IMPRINT — AMERICAN STATES INSURANCE — PRESENT IN ITS ENTIRETY. IF YOU HAVE ANY QUESTIONS REGARDING THE VALIDITY OF THIS POWER OF ATTORNEY, CALL 317-262-6262 OR WRITE US AT P.O. BOX 1636, INDIANAPOLIS, IN 46206-1636.

Bidder/Vendor

Anti-Apartheid Certification

The undersigned, on behalf of Underground Baptist Church does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of

Underground Baptist Church that Underground Baptist Church does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this certification has been signed this 14th day of Nov, 19 91.

James P Butler
Name of Bidder/Vendor

JAMES P BUTLER - PRESIDENT
Name and Title of Person Signing

CERTIFICATION OF NON-SEGREGATED FACILITIES

Each Bidder is required to file a fully executed Certificate of Non-Segregated Facilities once a year.

CERTIFICATION OF NON-SEGREGATED FACILITIES

The Bidder certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The Bidder certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments and that he will not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The Bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid. As used in this certification, the term "segregated facilities" means any waiting room, work area, restrooms and washrooms, restaurant or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The Bidder agrees that (except where the Bidder has obtained identical certification from proposed subcontractors for specific time periods) he will obtain identical certification from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause and that he will retain such certifications in his files.

NOTE: THE PENALTY FOR MAKING FALSE STATEMENTS IN OFFERS IS PRESCRIBED IN 18 U.S.C. 1001.

Date: Nov 14, 1991

Underground Repair Valve Inc.
Name of Bidder

By: James P. Butler

Title: President

Official Address: (including zip code)

P/O Box 508
Smith Bend Blvd 46624

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-18-91 @ 11:00 AM BID REFERENCE # 5029

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR CURB AND CORP STOPS PER
SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE

THIS BID REQUIRES A XXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: 2% IF PAID WITHIN 10 NET 25th. DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME THE TREATY COMPANY

STREET ADDRESS 501 Gray Avenue

CITY Greenville, OH 45331 PHONE # (513) 548-2181

BY A.C. McElwain

REPRESENTATIVE SIGNATURE

A. C. McElwain, President, Municipal Materials Division

PRICE SHEET

CORP STOPS - FLARED

QTY	UNIT	SIZE	BRAND	PART #	UNIT	/	TOTAL
1500	EA +/-	3/4"	<u>MUELLER</u>	<u>H-15000</u>	\$ 6.49	/	\$ 9735.00
75	EA +/-	1"	<u>MUELLER</u>	<u>H-15000</u>	\$ 9.92	/	\$ 744.00
25	EA +/-	1 1/2"	<u>MUELLER</u>	<u>H-15000</u>	\$ 27.14	/	\$ 678.50
20	EA +/-	2"	<u>MUELLER</u>	<u>H-15000</u>	\$ 47.42	/	\$ 948.40
TOTAL:							\$ 12,105.90

FOB: FORT WAYNE

DELIVERY TIME ARO: 14 - 21 Days

PRICE SHEET

CURB STOPS - 90 DEGREE T-HEAD OPERATION

QTY	UNIT	SIZE	BRAND	PART #	UNIT	/	TOTAL
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FEMALE IRON PIPE THREADED BALL OR PLUG TYPE

125	EA +/-	3/4"	<u>MUELLER</u>	<u>B20200R</u>	\$ 7.04	/	\$ 880.00
50	EA +/-	2"	<u>MUELLER</u>	<u>B20283</u>	\$ 45.63	/	\$ 2281.50

FLARED BOTH ENDS BALL TYPE

1500	EA +/-	3/4"	<u>MUELLER</u>	<u>B25204</u>	\$ 8.43	/	\$ 12645.00
100	EA +/-	1"	<u>MUELLER</u>	<u>B25204</u>	\$ 16.38	/	\$ 1638.00
25	EA +/-	1 1/2"	<u>MUELLER</u>	<u>B25204</u>	\$ 42.90	/	\$ 1072.50

FLARED BOTH ENDS PLUG TYPE

25	EA +/-	2"	<u>MUELLER</u>	<u>H-15204</u>	\$ 70.19	/	\$ 1754.75
						TOTAL:	\$ 20271.75

FOB: FORT WAYNE

DELIVERY TIME ARO: 2-3 Weeks for Receipt

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: Nov. 15, 1991
 1. Governmental Unit: City of Ft. Wayne
 2. County: Allen
 3. Bidder (Firm): The Treaty Company
 Address: 501 Gray Avenue
 City/State: Greenville, Ohio 45331
 4. Telephone Number: (513) 548-2181
 5. Agent of Bidder (if applicable): Tim Brown

Pursuant to notices given, the undersigned offers bid(s) to City Ft. Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

A.C. McElwain
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
Allen COUNTY) SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

The Treaty Company

Bidder (Firm)

A.C. McElwain

Signature of Bidder or Agent

Subscribed and sworn to before me this 15th day of Nov., 19 91

My Commission Expires: 8-9-95

County of Residence: Darke

CONNIE B. COOK

Notary Public — State of Ohio

My Commission Expires 8-9-95

ACCEPTANCE

Connie B. Cook

Notary Public Printed Name

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

The Ohio Casualty Insurance Company

HAMILTON, OHIO

BID OR PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, That we,
THE TREATY COMPANY

(hereinafter called the Principal) as Principal, and THE OHIO CASUALTY INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, with its principal office in the City of Hamilton, Ohio (hereinafter called the Surety) and licensed to do business in the State of
as Surety, are held and firmly bound unto
CITY OF FT. WAYNE, INDIANA

(hereinafter called the Obligee) in the penal sum of

TWO THOUSAND DOLLARS ***** Dollars (\$ 2,000.00)
lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas, the Principal has submitted the accompanying bid, dated November 18 19 91, for

CURB AND CORP STOPS

NOW, THEREFORE, if the Obligee shall make any award according to the terms of said bid and the Principal shall enter into a contract with said Obligee in accordance with the terms of said bid and give bond for the faithful performance thereof within the time specified; or if no time is specified within thirty days after the date of said award; or if the Principal shall, in the case of failure so to do, indemnify the Obligee against any loss the Obligee may suffer directly arising by reason of such failure, not exceeding the penalty of this bond, then this obligation shall be null and void: otherwise to remain in full force and virtue.

Signed, Sealed and Dated this 15th day of November, 19 91

THE TREATY COMPANY

(Principal)

By

A.C. McElman

THE OHIO CASUALTY INSURANCE COMPANY

By

Angela S. Mills
Attorney-in-Fact

LITTMAN-THOMAS AGENCY, INC.
515 East Main St., P. O. Box 778
Greenville, Ohio 45331

CERTIFIED COPY OF POWER OF ATTORNEY
THE OHIO CASUALTY INSURANCE COMPANY

HOME OFFICE, HAMILTON, OHIO

No. 27-597

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint:

Hance S. Hildebrand or Angela S. Skiles

or David L. Keiser or Benny A. Studabaker - - - - - of Greenville, Ohio - - - -

its true and lawful agent and attorney -in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance

TWO MILLION FIVE HUNDRED THOUSAND - - - - - (\$ 2,500,000.00 - -) Dollars, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.



In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 4th day of June 19 91.

Lloyd E. Geary
Assistant Secretary

STATE OF OHIO,
COUNTY OF BUTLER

} ss.

On this 4th day of June A. D. 19 91 before

the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Lloyd E. Geary, Assistant Secretary of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposeeth and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.

Dorothy Biber
Notary Public in and for County of Butler, State of Ohio

My Commission expires December 25, 1991.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

"ARTICLE VI"

"Section 7. Appointment of Attorney-in-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this

day of A.D., 19



Mark I. Schmidt
Assistant Secretary



The Ohio Casualty Insurance Company

136 North Third Street, Hamilton, Ohio 45025

FINANCIAL STATEMENT — December 31, 1990

ASSETS

1990

Cash	\$ 14,104,008.00
Bonds★	479,713,994.00
Stocks★	631,490,705.00
Real Estate (less encumbrances)	17,919,235.00
Premiums in Course of Collection	69,085,945.00
Investment Income Due & Accrued	11,317,034.00
Reinsurance Recoverable	9,312,477.00
Other Assets	<u>283,486,700.00</u>
Total Assets	\$1,516,430,098.00

LIABILITIES

Reserve for Outstanding Losses	\$ 697,472,850.00
Reserve for Unearned Premiums	273,535,553.00
Reserve for Taxes & Expenses	18,772,661.00
Reserve for Reinsurance	-0-
Other Liabilities	<u>60,827,870.00</u>
Total Liabilities	\$1,050,608,934.00
Capital Stock	\$ 2,950,892.00
Net Surplus	\$462,870,272.00
Policyholders Surplus	<u>\$ 465,821,164.00</u>
Total Liabilities, Capital Stock and Surplus	\$1,516,430,098.00

★Valuations on basis approved by the National Association of Insurance Commissioners.

STATE OF OHIO

SS:

COUNTY OF BUTLER

Lauren N. Patch, being duly sworn, says: That he is President of The Ohio Casualty Insurance Company of Hamilton, Ohio; that said Company is a corporation duly organized, existing and engaged in business as a Surety by virtue of the laws of the State of Ohio and has duly complied with all the requirements of the laws of said State applicable to said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under the Act of Congress of July 30, 1947 (6 U.S.C. 6-13); that to the best of his knowledge and belief the above statement is a full, true and correct statement of the financial condition of said Company on the 31st day of December, 1990.

Sworn to before me this 1st day of February, 1991.

Dorothy Bibee

Dorothy Bibee, Notary Public
Butler County, Ohio
My Commission Expires December 25, 1991.

Lauren N. Patch

Lauren N. Patch, President

CERTIFICATION OF NON-SEGREGATED FACILITIES

Each Bidder is required to file a fully executed Certificate of Non-Segregated Facilities once a year.

CERTIFICATION OF NON-SEGREGATED FACILITIES

The Bidder certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The Bidder certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments and that he will not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The Bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid. As used in this certification, the term "segregated facilities" means any waiting room, work area, restrooms and washrooms, restaurant or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The Bidder agrees that (except where the Bidder has obtained identical certification from proposed subcontractors for specific time periods) he will obtain identical certification from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause and that he will retain such certifications in his files.

NOTE: THE PENALTY FOR MAKING FALSE STATEMENTS IN OFFERS IS PRESCRIBED IN 18 U.S.C. 1001.

Date: 11/15, 1991

THE TREATY COMPANY

Name of Bidder

By: A.C. McElman

Title: Pres., Municipal Materials Division

Official Address: [including zip code]

501 Gray Avenue

Greenville, Ohio 45331

Bidder/Vendor

Anti-Apartheid Certification

The undersigned, on behalf of THE TREATY CO., does hereby make the following representations to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council of the City of Fort Wayne, Indiana, has passed an ordinance condemning the apartheid policies of the country of South Africa;

WHEREAS, council's ordinance requires that all persons, firms or corporations submitting bids to the City, for goods and services, certify, as part of the bid, that such entity does not support the policies of apartheid in South Africa.

The undersigned states, on behalf of

THE TREATY CO., that A. C. McElwain

does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this certification has been signed this 15th day of Nov., 19 91.

THE TREATY COMPANY

Name of Bidder/Vendor

A. C. McElwain

Name and Title of Person Signing
A. C. McElwain, President
Municipal Materials Division

Read the first time in full and on motion by Bradbury, seconded by Palazzo, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 1-14-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Palazzo, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA				<u>✓</u>
HENRY				<u>✓</u>
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 1-28-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 1-20-92 on the 28th day of January, 1992

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Don J. Schmitter
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of January, 1992 at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 3rd day of February, 1992, at the hour of 3:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. S-92-01-19

REPORT OF THE COMMITTEE ON CITY UTILITIES

JANET G. BRADBURY, CHAIRWOMAN
SAMUEL J. TALARICO, VICE CHAIRMAN
LUNSEY, LONG, GIAQUINTA

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding
of Reference #5029 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and UNDERGROUND PIPE & VALVE
INC. AND TREATY COMPANY for the Water Maintenance & Service
Department

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 1-28-92.

Sandra E. Kennedy
City Clerk

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 5029 for the purchase of curb/corporation stops for the Water Maintenance & Service Department for 1992. The costs reflect the lowest and most responsive of six (6) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Used to turn on and off services. Allows us to service individual properties without involving the entire neighborhood.

IF REPLACEMENT, WHAT NECESSITATES: Needed to replace damaged stops for control of water.

EFFECT ON NON-PASSAGE: Would have too dig up large areas to control leaks and many customers would be without water.

PRIOR APPROVAL REQUESTED: NO DATE:

MONIES INVOLVED:	Underground Pipe	\$12036.55+/-
	Treaty Company	\$20271.75+/-

PRICE AGREEMENT: YES PURCHASE ORDER:

ACCOUNT INFORMATION: Water Maint. 513-523-W154-4221

S-92-01-19.